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EASTMAN & ASSOCIATES

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OIPE JCN
MAY 06 2002
25 PAGES

GARY L. EASTMAN
ATTORNEY AT LAW

FACSIMILE TRANSMISSION COVER SHEET

DATE: May 6, 2002

TO: BOX Duplicate OIPE
Assistant Commissioner for Patent

FACSIMILE NO. (703) 746-4060

FROM: Gary L. Eastman, Esq.

RE: Duplicate Papers for Ser. No. 09/846,879

TOTAL NUMBER OF PAGES: 25 (INCLUDING THIS COVER PAGE)
PLEASE CALL AS SOON AS POSSIBLE IF ALL PAGES ARE NOT RECEIVED.
ORIGINAL MAILED [] ORIGINAL NOT MAILED [x]

NOTES:

Please see attached.

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS FAX MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY ON NOTICE THAT YOU ARE IN POSSESSION OF CONFIDENTIAL AND PRIVILEGED INFORMATION. ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. YOU ARE REQUESTED TO IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE OF YOUR INADVERTENT RECEIPT. YOU ARE FURTHER REQUESTED TO RETURN THE ORIGINAL FAX MESSAGE TO THE SENDER AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. YOUR COOPERATION IS GREATLY APPRECIATED.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

David Sandler et al.

Application No.: 09/846,879

Group Art Unit: 2874

Confirmation Number: 5890

Filed: April 30, 2001

Examiner: Unk.

For: OPTICAL CROSS CONNECT SWITCH

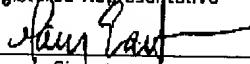
RESPONSE TO NOTICE TO FILE MISSING PARTS

ATTN: BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the "Notice to File Missing Parts of Non-provisional Application-Filing Date Granted" (copy enclosed), mailed June 29, 2001, Applicant submits herewith the following:

<u>Certificate of Mailing</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:	
November 28 2001 Mailing Date	
Gary L. Eastman Registered Representative	
 Signature	

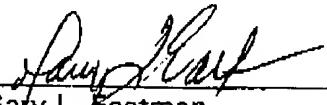
Response to Notice of Filing Parts
U.S. Application No. 09/046,879

PATENT APPLICATION

1. Required Declaration properly executed by the inventor(s).
2. Petition for a three (3) month extension of time under 37 C.F.R. §1.136(a).
3. A check for \$806.00 for:
 - basic filing fee (\$1066.00)*;
 - nineteen (19) total claims over twenty (\$171.00)*;
 - late filed declaration fee per 37 C.F.R. §1.16(e) (\$65.00)*;
 - fee for three (3) month extension of time (\$460.00).*
4. Eleven (11) substitute drawing sheets in compliance with 37 C.F.R. §1.84.
5. Substitute Abstract.
6. Postcard.

***Small Entity Statement:** The undersigned, as attorney of record on behalf of Applicant, hereby verifies that Applicant qualifies as a small entity pursuant to 37 C.F.R. § 1.27, and so is entitled to a one-half reduction in applicable fees in connection with this application.

Respectfully submitted,



Gary L. Eastman
Attorney for Applicant
Registration No. 41,005

EASTMAN & ASSOCIATES
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San Diego, California 92101
Telephone: (619) 230-1144
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Date: November 28, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RCEPCT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/846,879	04/30/2001	David Sandler	1092-PA364



CONFIRMATION NO. 5890
FORMALITIES LETTER



OC000000008243181*

Date Mailed: 06/29/2001

GARY L. EASTMAN
STE 306
520 WEST ASH ST.
SAN DIEGO, CA 92101

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$171.
 - \$171 for 19 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 591.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

A copy of this notice MUST be returned with the reply.

sjhanc

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/846,879	04/30/2001	Sandler, David	1092-PA364

GARY L. EASTMAN
STE 306
520 WEST ASH ST.
SAN DIEGO CA 92101

Title: Optical cross connect switch

O I P E
MAY 06 2002
P. O. TRADEMARK
DUPLICATE

Date Mailed: 04/22/2002

Request for Substitute Papers

The papers filed on 01/07/02 (certificate of mailing dated 11/28/01) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated 703-746-4060(OIPE).

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO strongly prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely reply to this notice within two (2) weeks of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Gary Eastman Registration No.: 41,005

Signature: Gary East Date: May

O I P E

MAY 06 2002

MAILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
David Sandler et al.) FOR: Optical Cross Connect Switch
Serial No.: 09/846,879) Group Art: 2874
Filed: 4/30/01)

RESPONSE FOR REQUEST FOR SUBSTITUTE PAPERS

Via Facsmile (703) 746-4060
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed and filed herewith are documents as follows:

I hereby certify that this correspondence is being faxed to (703) 746-4060 addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

May 6 2002

(Mailing Date)

Gary L. Eastman, Esq.

(Registered Representative)

Gary East

(Signature)

May 6 2002

(Date of Signature)

- 2 -

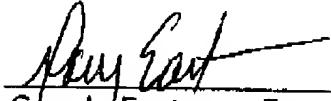
Ser. No. 09/846,879

1. Copy of the Request For Substitute Papers;
2. Response to Notice To File Missing Parts
3. Copy of the Notice to File Missing Parts
- 4.. Required Declaration properly executed by the inventor(s).
5. Petition for a three month extension of time under 37 C.F.R. §1.136(a).
6. Copy of a check for \$1066.00
7. Eleven (11) substitute drawing sheets in compliance with 37 C.F.R. §1.84.
8. Substitute Abstract.

Respectfully submitted,

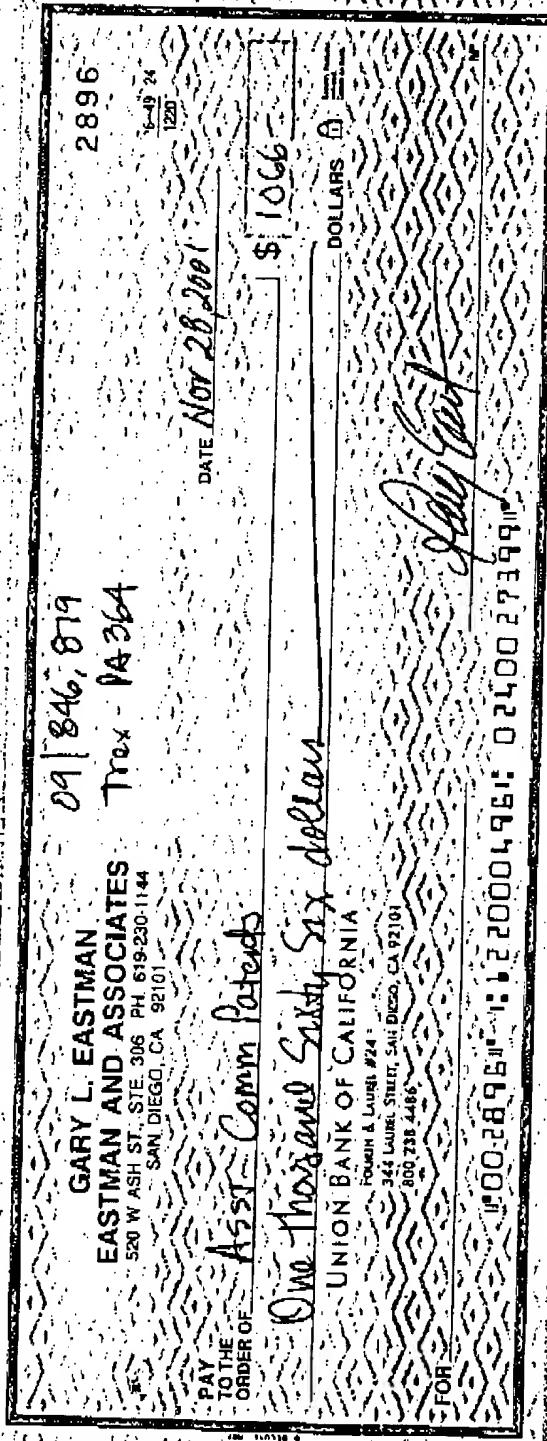
Dated: May 6, 2002

By:


Gary L. Eastman
Gary L. Eastman, Esq.
Attorney for Applicant
Registration No. 41,005

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520 W. Ash Street, Suite 306
San Diego, California 92101
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Facsimile: (619) 230-1194

Docket No.: 1092-PA364



Patent Application For: OPTICAL CROSS
CONNECTIVITY
 Applicant: SAMPSON CTAL.
 Serial No.: 09/846,829
 Docket No.: 1091-09364
 Filing Date: 4/3/01

Transmitted herewith:

Transmittal Letter 37CFR1.10 Dec.
 Patent Application (pages)
 Drawings (Sheets)
 Declaration (Signed)
 Power of Attorney (Signed)
 Check # 20012 for \$ 1066
 Assignment (S.B. 105124 CT)
 IBG on form PTO-1449-PET for TIME
 Missing Parts on form PTO-1533 Extension